



Appeal Decision

Site visit made on 5 December 2022

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2022

Appeal Ref: APP/L5810/D/22/3303404

24 Belgrade Road, Richmond Upon Thames, Hampton, TW12 2AZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Tony Hymers against the decision of the London Borough of Richmond Upon Thames Council.
 - The application Ref 22/1423/HOT dated 4 May 2022, was refused by notice dated 16 June 2022.
 - The development proposed is single storey rear extension, loft conversion and associated internal alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposal upon the original character and design of the house and the character and appearance of the Conservation Area.

Reasons

3. There are several elements to the appeal proposal but the Council's delegated report confirms that the refusal reason is focused upon the roof extension via a large dormer incorporating the roof of the rear of the property. No refusal reason is based upon the single storey rear extension and from the evidence before me, and my site visit, I have no reason to conclude differently on this element. For the avoidance of doubt this appeal will focus upon the proposed roof extension as the focus for the refusal reason stated.
4. The property is a part three-storey and part two-storey (to the rear, joined by a valley between the two roofs), four bedroom, detached dwelling. It is located within the Hampton Village Conservation Area (CA) in a residential area. In considering whether to grant planning permission with respect to any buildings or other land in a CA, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the CA. In this context, preserving means doing no harm.
5. At the time of my site visit I noted that there are examples of other roof extensions within the area, as well as dwellings which have not been extended, but that roof extensions in varying forms are noted to be a characteristic within the CA. This is noted in the appellant's original design and access statement, that they all differ to some degree. Despite this character and appearance are

separate matters. Appearance is the outward, visible qualities whereas character is the sum of all the qualities which distinguish an area. Upon walking to the property from my car I found that the gap to the side of the appeal site and between that and the neighbouring property enables clear views through, and of, the appeal site from the street scene. It is, therefore, highly visible within the street scene and I find that this makes it more sensitive to additional built form and potential impact upon the appearance of the CA, and character and appearance of the host property, with regard to roof alterations.

6. The proposed roof extension would extend along the depth of the rear roof slope of three storey, front, of the house and continue along the depth of the two storey rear element filling up the current valley between the two roofs with rear dormer windows. I find that this would impact negatively upon the appearance of the CA when viewed from the street scene due to adding top heavy bulk to the property resulting in less than substantial harm to the CA. In terms of the host property whilst I note that effort has been made to preserve original features, I find the overall proposal would appear incongruous and top-heavy, and overall dominant, as a result of the bulk and significant massing at roof level which would be inappropriate in terms of both appearance and character for the property.
7. In addition to the above issue the windows in the rear elevation of the proposal, whilst symmetrical in the proposed dormer itself, would not comfortably relate to the existing appearance of the host property (in particular the first floor windows) which adds to an overall awkward appearance at roof level for the host property. The three dormer windows next door, viewed from garden, mirror the existing windows in the first floor terms of proportions, and spacing by comparison. Matters relating to materials, had I found the proposal acceptable, could have been reasonably considered via condition.
8. The National Planning Policy Framework 2021 (the Framework) states, in paragraph 199, that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. I find the proposal would result in less than substantial harm to the CA as a result of the visibility and top heavy appearance as outlined above.
9. In accordance with the Framework, paragraph 202, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The proposal is for alterations to a single residential dwelling and I have no evidence before me to support that the proposal would result in any public benefits or is securing optimal viable use to outweigh the weight which should be given to the harm which has been identified.
10. A number of examples of extensions are referenced by the appellant, however, from the information before me (which is limited to photographs), none appear to be comparable to that within the appeal before me. The exception to this is, perhaps, that shown at no. 20 Belgrade Road but this is, by comparison, of more limited visibility as demonstrated in the submitted photographs and from

my site visit I note that this did not exceed the rear ridge with only three, flush, skylights being in the rear roof elevation as opposed to dormer windows proposed within this appeal. It was entirely limited to infill of the valley between the roofs with limited visibility within the street scene.

11. Application references have been included on some photographs which include proposals from 2000, 1992, 2006, 2008 and 2001. All of these would have been determined prior to the current Framework (and even prior to that originally in place in 2012) as well as the current London Borough of Richmond Upon Thames Local Plan 2018 (LP). The starting point for determination is the Local Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004. The proposals would therefore have been considered in an entirely different policy arena.
12. A more modern application, 2016, is noted at no. 2 Belgrade Road but by comparison that presents as a modest side dormer which is unlike the proposal before me. I note the roof extension at no. 26 Belgrade Road, however, the raising of the roof demonstrated does not result in a top-heavy development, when viewed from the street scene, or even result in a similar proposal to that before me within this appeal. The rear dormers appropriately relate to the existing fenestration. In all cases each case must be considered on its own merit and other proposals do not set a precedent in terms of, for example, floor areas allowed.
13. The proposal would be contrary to LP Policy LP1 which requires proposals to be of high architectural design and compatible in terms of height, massing, proportions, form and detailing as well as demonstrating how it relates to existing context including character and appearance and take opportunities to improve the character of buildings and the local area and LP Policy LP3 which seeks to protect the character and appearance of designated heritage assets.

Other Matters

14. The appellant's comments regarding lack of correspondence with the case officer, lack of a site visit or opportunity to discuss the proposal and mistakes in the property description are noted, however, the handling of the original application is not a consideration within the scope of this appeal and the appeal is not accompanied by an application for costs. I have assessed the proposal on its own merits based upon the evidence before me against the relevant LP policies. A lack of objection is a neutral consideration.
15. The Council reference a Conservation Area Supplementary Planning Guidance document within their refusal reason; however, this is not referenced or listed as relevant to the decision within the delegated report and in addition I have not been sent copies of the document as part of this appeal. I have, therefore, been unable to consider this as part of the proposal before me.

Conclusion

16. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR